

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

|                                 |   |                       |
|---------------------------------|---|-----------------------|
| UNITED STATES OF AMERICA        | ) |                       |
|                                 | ) |                       |
| v.                              | ) | CRIMINAL NO. 1:14CR35 |
|                                 | ) |                       |
| ROBERT S. KANLI,                | ) |                       |
| also known as Robert S. Martin, | ) |                       |
| Defendant.                      | ) |                       |

STATEMENT OF FACTS

The parties stipulate that the allegations in the Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt.

1. The defendant, ROBERT S. KANLI, also known as Robert S. Martin, is a United States citizen living abroad who was first brought to the Eastern District of Virginia on January 10, 2014.

2. KANLI sought to replace his United States passport in the summer of 2013 while living abroad in Kosovo. Because he had been previously been issued five United States passports, the Department of State would not immediately issue him a sixth passport.

3. There is no United States Consular Section in Pristina, Kosovo, so the email address consularPristina@state.gov is monitored and emails responded to, by a Consular Officer in Skopje, Macedonia, who regularly travels to Pristina, Kosovo, to conduct consular business, such as visa interviews, passport application interviews, and American Citizen Services.

4. On July 29, 2013, KANLI began sending emails from his personal account, kanli.robert@gmail.com, requesting an appointment to replace his United States

passport to the “Consular, Pristina” mailbox at consularPristina@state.gov.

5. The United States Consular Officer who monitored and responded to the defendant’s emails refused to immediately replace KANLI’s United States passport. When informed via email of the delay in issuing a sixth United States passport by the Consular Officer, the defendant demanded the refund of his \$56 filing fee. The Consular Officer responded, again via email, that the filing fees are a nonrefundable administrative processing fee as stated on the United States Department of State website.

6. Following the refusal to refund his passport application fee, on September 14, 2013, at 9:50 p.m., KANLI directly threatened the United States Consular Officer: “DEAR CONSULAR OFFICER: ARE YOU READY FOR DEATH?”

7. Over the course of the next 72 hours, KANLI sent approximately 39 emails to the Consular Officer via the Consular, Pristina mailbox, of which approximately 20 contained direct threats, including on September 15, 2013, at 7:59 p.m.: “”I’M GOING TO MURDER YOU IF IT IS THE LAST THING I DO” and on September 16, 2013, at 4:16 p.m.: “DO YOU EXIT THE EMBASSY AT 5PM AFTER WORK?”

8. Attached to some of KANLI’s emails to the United States Consular Officer were .jpg files with a scan of KANLI’s California Identification Card and his Kosovo National Identification Card, both with the photograph and true name of the defendant.

9. The Kosovo Police notified the United States Regional Security Officer in Pristina, Kosovo, that the IP address used to transmit the above threats is owned and assigned by the residential internet service provider Kujtesa.net, and that this IP address was assigned to the personal internet service that KANLI used to log into his personal email account, kanli.robert@gmail.com at the specific residential location Mbretresha Teuta, Mitrovica Center


in Pristina, Kosovo. This is the known foreign address of the defendant, who was arrested by the Kosovo National Police for threatening a foreign diplomatic mission in violation of Article 185, Paragraph 3 of the Criminal Code of Kosovo. He was detained on the Kosovo charges until being placed on an aircraft to return to the United States.

10. The acts taken by the defendant, ROBERT S. KANLI, in furtherance of the offense charged in this case, Foreign Threatening Communications, in violation of 18 U.S.C. § 875 (c), including the acts described above, were done willfully and knowingly with the intent to violate the law. The defendant acknowledges that the foregoing statement of facts does not describe all of the defendant's conduct relating to the offense charged in this case.

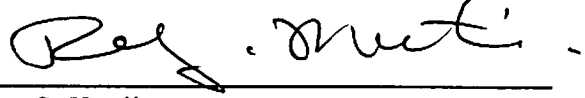
Respectfully submitted,

Dana J. Boente  
Acting United States Attorney

By:

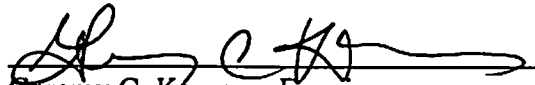
  
Ronald L. Walutes, Jr.  
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Robert S. Kanli, also known as Robert S. Martin, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

A handwritten signature in black ink, appearing to read "Rob. S. Kanli", written over a horizontal line.

Robert S. Kanli  
Defendant

I am Robert Kanli's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

A handwritten signature in black ink, appearing to read "Jeremy C. Kamens", written over a horizontal line.

Jeremy C. Kamens, Esquire  
Attorney for Robert Kanli